

REMARKS

The following remarks are responsive to the Office Action of February 23, 2007.

Summary of the Office Action

Claims 1-17, 21-23 and 25-31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0037747 to Ueno. Claims 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueno. Claims 24 and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueno in view of U.S. Patent No. 7,106,375 to Venturino et al. (hereinafter "Venturino").

Summary of the Response to the Office Action

Claims 1-5, 10-12, 14-16, 18-20, 22-25 and 27-32 have been amended, claims 6-9, 13, 17, 21 and 26 remain as originally filed, and new claims 33-36 have been added.

Accordingly, reconsideration of claims 1-36 is respectfully requested.

All Claims Define Allowable Subject Matter

Independent claims 1, 10, 14, 17 and 29 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ueno. These rejections are respectfully traversed in view of the following.

Claim 1 recites a digital camera including, *inter alia*, "a display" and "a digital signal processor to display on the display a state indicator that indicates progression of a transceiving state of data files being transmitted or received between the recording medium and an external device." Similarly, claim 29 recites a method for monitoring the status of a digital camera including "displaying a state indicator that indicates progression of a transceiving state while transmitting or receiving a data file to or from an external device." Support for these combinations of features may be found in Applicants' specification as originally filed at, for example, page 6, lines 14-17, and page 7, lines 14-20, with reference to Figs. 8B and 8C.

Claim 10 recites a digital camera including, *inter alia*, "a display," "a communication interface to transmit and to receive data files between the recording medium and an external device" and "a digital signal processor to display on the display an initialization state of the communication interface." Similarly, claim 14 recites a digital camera including, *inter alia*, "a means for displaying an initialization state of the means for transmitting data files between the means for storing digital image data and an external device." And claim 17 recites a method for monitoring the status of a digital camera including "displaying an initialization state while initializing a communication interface." Support for these combinations of features may be

found in Applicants' specification as originally filed at, for example, page 6, lines 12-14 and lines 27-36 with respect to Figs. 6A and 6B.

To anticipate a claim, a reference must teach every element of the claim. It is respectfully submitted that Ueno fails to teach every element of independent claims 1, 10, 14, 17 and 29.

The Office Action asserts that Ueno's system control circuit 50 is designed to execute the processes shown in Ueno's Figures 6-9. Ueno states at paragraph 0058 that Figs 6 to 8 are flowcharts showing an operation process in an imaging apparatus 100, and that Fig. 9 is a flowchart showing communication process step S522 in Fig. 7. Similarly, Ueno states at paragraphs 0096 and 0097 that Fig. 11 shows a sequence chart of another example of the communication process step S522 in Fig. 7. Thus, it is respectfully submitted that Ueno's Figs. 6-8 are directed to preparing an image for transmission and that only Figs. 9 and 11, and the corresponding descriptions thereof at paragraphs 0076-0079 and 0096-0101, are directed to Ueno's communication process *per se*.

With particular reference to Fig. 9, Ueno shows a communication process that includes detecting a communicatable device (S801) and determining if the device exists (S802). In the event that a determination is made that no device exists (S802, "NO"), Ueno displays "Communication Impossible (Device None)" (S807). However, it is respectfully submitted that Ueno fails to show that any type of display occurs in connection with a determination that a device does exist (S802, "YES"), much less display an initialization state of the communication interface. If a device is determined to exist (S802, "YES"), Ueno subsequently retrieves image data (S803) and executes a communication process protocol (S804), before displaying "Communicating" (S805) and then determining if the communication is completed. It is noted that Ueno's Fig. 9 also does not show that there is a display indicating an unloading state. Thus, it is respectfully submitted that, other than displaying an error message (S807), which is indicative only of the absence of the fundamental ability to communicate, Ueno's only other display (S807) is tantamount to the displays provided by the related art described in Applicants' specification as originally filed at page 1, lines 19-26. That is to say, the display provided according to Ueno's Fig. 9 and the related art suffer from the same deficiencies, i.e., that it is difficult for the digital camera user to monitor the precise state of communication between the camera and an external device.

Similarly, Ueno's Fig. 11 shows only two types of display. The first display of a list of available communication devices is based on a device search protocol (1801) and allows the user to select a communication apparatus 300. This first display precedes executing a connection protocol 1841 and a negotiation protocol 1842, and it is therefore respectfully

submitted that Ueno fails to display an initialization state of a communication interface. The second display is of a transmission result 1848 from the communication apparatus 300 to the imaging apparatus 100 and precedes the user instructing a disconnection protocol 1806. Thus, again, the display provided according to Ueno's Fig. 11 and the related art suffer from the same deficiencies, i.e., that it is difficult for the digital camera user to monitor the precise state of communication between the camera and an external device.

Accordingly, it is respectfully submitted that Ueno fails to teach or suggest the combinations of features recited in independent claims 1, 10, 14, 17 and 29. Specifically, Ueno fails to teach or suggest at least displaying a series of bars that indicate a transceiving state while transmitting or receiving a data file to or from an external device, as recited in claims 1 and 29, and fails to teach or suggest at least displaying an *initialization state* while initializing a communication interface, as recited in claims 10, 14 and 17.

For at least any of the above reasons, it is respectfully submitted that the rejections under 35 U.S.C. § 102(e) of independent claims 1, 10, 14, 17 and 29 should be withdrawn, and that these claims are allowable over Ueno.

Claims 2-9, 11-13, 15, 16, 18-23, 25-28, 30 and 31 depend, either directly or indirectly, from one of independent claims 1, 10, 14, 17 and 29, and thus recite the same allowable combination of features, as well as reciting additional features that further distinguish over Ueno. Therefore, it is further respectfully submitted that the rejections under 35 U.S.C. §§ 102(e) and 103(a) of claims 2-9, 11-13, 15, 16, 18-23, 25-28, 30 and 31 should also be withdrawn and that these claims are also allowable.

With regard to claims 24 and 32, the Office Action acknowledges that Ueno does not teach displaying a message indicating the type of interface being used. Moreover, the Office Action asserts that Venturino teaches a camera with a display that indicates the type of memory card (interface) being used, and refers to Venturino's CF memory card 304 and MM/SD memory card 306 in Figs. 3 and 6 of Venturino.

Even if Ueno and Venturino could be combined as suggested in the Office Action, a proposition that Applicants do not accept, Venturino would still fail to overcome the aforementioned deficiencies of Ueno.

As discussed in *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), "[i]f an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." It is respectfully submitted that neither Ueno nor Venturino, whether considered independently or in combination, teach or suggest at least displaying a series of bars that indicate a transceiving state while transmitting or receiving a data file to or from an external device, as recited in claim 29 (from which claim 32 indirectly depends), or teach or suggest at least

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of February 23, 2007

displaying an initialization state while initializing a communication interface, as recited in claim 17 (from which claim 24 indirectly depends).

For at least any of the above reasons, it is respectfully submitted that the rejections under 35 U.S.C. § 103(a) of claims 24 and 32 should be withdrawn, and that these claims are also allowable.

New claims 33-36, which respectively depend from independent claims 1, 10, 14 and 29, further recite "a series of bars" to indicate progression of a state. Support for these features may be found in Applicants' specification as originally found at page 6, lines 30-32, with reference to Fig. 6A, and at page 7, lines 14-20, with reference to Figs. 8B and 8C.

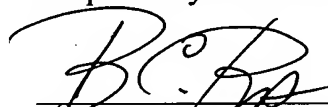
Claims 33-36 depend from independent claims 1, 10, 14, 17 and 29, respectively, and thus recite the same allowable combination of features, as well as reciting additional features that further distinguish over the applied prior art. Therefore, it is further respectfully submitted that these claims are also allowable.

Conclusion

In view of the foregoing amendments and remarks, reconsideration and allowance of all pending claims is respectfully requested.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Brian C. Rupp, Reg. No. 35,665
DRINKER BIDDLE & REATH LLP
One of Attorneys for Applicant(s)
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606-1698
(312) 569-1000 (telephone)
(312) 569-3000 (facsimile)
Customer No.: 08968

Date: May 18, 2007

In re Application of: Choi et al.
Application No. 10/672,095
Response to Office Action of February 23, 2007



CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO OFFICE ACTION OF FEBRUARY 23, 2007 (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: May 18, 2007



Irina L. Mikitiouk

CH02/ 22486617.1